

# Exhibit 34

## FINRA DISPUTE RESOLUTION

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**BRET ACKERMAN, :  
Claimant, :  
v. :  
ODEON CAPITAL GROUP, LLC, BONWICK :  
CAPITAL PARTNERS, LLC, MATHEW :  
VAN ALSTYNE, AND EVAN :  
SCHWARTZBERG, :  
Respondents. :  
-----X-----**

**RESPONDENTS' RULE 13905 MOTION TO CORRECT TYPOGRAPHICAL ERROR  
OR MISTAKE IN AWARD**

Respondents Odeon Capital Group, LLC (“Odeon”), Mathew Van Alstyne and Evan Schwartzberg (collectively “Respondents”) respectfully move the panel under FINRA Rule 13905 to correct an apparent typographical error or mistake in the Panel’s November 20, 2015 Award in the above-captioned matter.

1. In its Award, the Panel ordered Respondents to pay Claimant \$1,102,193 in compensatory damages “based on unpaid wages owed the Claimant” arising from his employment with Odeon, which ended on March 10, 2014. Ostensibly, this award arose from Claimant’s claim that he was denied proper compensation throughout his employment with Odeon.

2. The Award further provided that “Respondents Odeon, Schwartzberg and Alstyne are jointly and severally liable for interest on the award at the rate of 9% per annum from *November 1, 2012* until the award is paid in full.” (Award, ¶4, emphasis added).

3. The use of November 1, 2012 as the beginning date for the calculation of interest appears to be in error and/or a clerical mistake. Nothing in the evidentiary record supports the selection of November 1, 2012 (17 months before Claimant's departure and 36 months before the award was issued) as the date from which interest would accrue on \$1,102,193 in "unpaid wages owed the Claimant." No evidence was presented that would suggest any alleged underpayment of wages in the amount of \$1,102,193 had occurred by November 1, 2012.

4. This error is significant as application of 9% simple interest to an award of \$1,102,193 over 38 months (and before the majority of the alleged "unpaid wages" even occurred according to Claimant) would constitute hundreds of thousands of dollars, easily exceeding the amount of attorneys' fees awarded. Since Respondents do not believe the imposition of interest from November 2012 is supported by the record, nor do we believe that that was the Panel's intent, Respondents respectfully request that the November 1, 2012 date be corrected to November 1, 2015 in a revised Award.

5. This Motion is made without conceding that the award of interest or any other amounts is supported by the facts adduced at hearing following a full and fair opportunity to present evidence on such issues. Further, this motion is made without prejudice to any and all Respondents' rights and remedies vis-à-vis the Award.

Date: November, 23, 2015

Respectfully submitted,



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Stuart D. Roberts  
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Partners, LLC*

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have on this the 23rd day of November, 2015, served a copy of the foregoing on Claimant's counsel and FINRA via e-mail:

Arthur Baumgartner, Case Manager (*via electronic mail*)  
FINRA DISPUTE RESOLUTION  
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OF COUNSEL